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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,406	03/30/2001	Renate Zygan-Maus	P01.0138	8709

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SCHIFF HARDIN, LLP
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CHICAGO, IL 60606-6473

EXAMINER

AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/806,406

Applicant(s)

ZYGAN-MAUS ET AL.

Examiner

Hector A. Agdeppa

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2001 and 28 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 9 – 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Examiner cannot examine the claims because the terms used are inconsistent with accepted meanings in the art and the limitations cannot be searched for in the prior art as claimed. Moreover, the claim language cannot be matched to the terms used in the drawings, again preventing examiner from understanding the claim language and searching for applicable prior art.

For example, claim 9 recites “a switching center... a basic network and an intelligent network having a service platform...” In Figs. 1 and 2, an IN service platform appears to actually be an SCP, whereas a service platform generally refers to an operating system or environment upon which a system might function on/be implemented on. Also, there is no reference made to a basic network nor to a switching center in Figs. 1 and 2, nor is an explanation given in the specification. Normally, an intelligent network encompasses SSPs, SCP(s), STPs, IPs, servers, etc. However, in claim 9 it is unclear whether there are two separate networks, i.e., basic and intelligent, residing on a common service platform or whether the intelligent network is the entire

network. It is also unclear what a switching center is, whether it refers to a switch such as an SSP, or some other element or network.

Applicant is required to provide a clarification of these matters or correlation with art-accepted terminology so that a proper comparison with the prior art can be made.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,611,584 (Khello et al.) teaches a method and system for local number portability in an intelligent network (IN) environment. Khello et al. teaches a method wherein a subscriber connected to an originating local exchange node or switch has requested activation of a supplementary service, such as local number portability. Khello teaches the interaction between SSPs and SCPs and the signaling occurring therebetween. Furthermore, Khello et al. teaches that in performing the service, a transparent relay function is triggered when, for example, a called party address information does not address a subscriber connected to an intermediate node, and also sending a query for number translation to an intermediate telecommunications service/node/server. (Fig. 1, Col. 1, lines 43 – 59, Col. 2, line 65 – Col. 3, line 57, Col. 5, line 60 – Col. 6, line 6, Col. 14, line 50 – Col. 15, line 47) US 5,517,563 (Norell) teaches signaling in, for example, an intelligent network, wherein there are subscribers connected to switches and in addition, centralized control elements such as an SCP. Furthermore, Norell teaches that the signaling method involves redirection of a signal path from an originating terminating node to a new terminating node, wherein the

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redirection being initiated by the originally terminating node is transparent to the originating end node. (Fig. 3, Col. 4, line 23 – Col. 5, line 35, Col. 22, lines 4 – 10)

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.A.A.
March 4, 2004


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700